

Assembly Bill No. 1472

CHAPTER 219

An act to amend Section 12283 of the Elections Code, relating to elections.

[Approved by Governor August 9, 2003. Filed with Secretary of State August 11, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1472, Goldberg. Public schools and election days.

Under existing law, if local elections officials so request, the governing boards of public schools must allow schools to be used for polling places on election days.

This bill would authorize governing boards to exercise the options, in response to such a request, of: (1) keeping schools used for polling places in session but identifying to the elections official the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places, (2) designating the election day for staff training and development, or (3) closing the schools to students and nonclassified employees.

This bill would require that elections officials requesting the use of school buildings submit requests sufficiently far in advance to permit the governing board to determine whether or not to keep affected schools in session before school year calendars are prepared and distributed to parents.

The people of the State of California do enact as follows:

SECTION 1. Section 12283 of the Elections Code is amended to read:

12283. (a) The governing body having jurisdiction over school buildings or other public buildings may authorize the use of its buildings for polling places on any election day, and may also authorize the use of its buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building for polling places on an election day, the governing body having jurisdiction over the particular school building shall allow its use for the purpose requested. When allowing use of a school building for polling places, the governing body may, but is not required to, do any of the following:

(1) Continue school in session, provided that the governing body shall identify to the elections official making the request the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places.

(2) Designate the day for staff training and development.

(3) Close the school to students and nonclassified employees. Classified employees are those so defined by Section 41401 of the Education Code.

(b) An elections official making a request for use of a school building pursuant to subdivision (a) shall include in his or her request a list of the schools from which the use of a building for polling places is needed. Requests must be made within sufficient time in advance of the school year for the governing body to determine, on a school-by-school or districtwide basis, whether to keep the affected schools in session, designate the schoolday for staff training and development, or close the school to students and nonclassified employees before school calendars are printed and distributed to parents.

(c) Once a governing body has approved the use of a school building as a polling place, the governing body shall instruct the school administrator to provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and to make a telephone line for Internet access available for use by local elections officials, if requested by those officials.

(d) The school administrator shall also make a reasonable effort to ensure that the site is accessible to the handicapped.

